REMARKS

Claims 31-33 are newly added. Thus, Claims 1-33 are currently pending in this application, with Claims 1, 7, 11, 13, 17, 21, 26 and 29 being independent.

Examiner Divine is thanked for indicating that Claim 11 is allowed.

The Official Action rejects Claims 1-5 and 7-9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,137,587, hereinafter *Muto*; Claims 13 and 17 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,748,337, hereinafter *Minamizawa*; Claim 12 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,026,258, hereinafter *Fresk*; Claims 21-30 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,184,996, hereinafter *Gase* in view of *Muto*; Claims 14, 15, 18 and 19 under 35 U.S.C. § 103(a) as being unpatentable over *Minamizawa* in view of *Muto*; Claims 6 and 10 under 35 U.S.C. § 103(a) as being unpatentable over *Muto* in view of U.S. Patent No. 5,940,582, hereinafter *Akabori*; and Claims 16 and 20 under 35 U.S.C. § 103(a) as being unpatentable over *Minamizawa* in view of *Akabori*.

Claim Amendments

Claims 21 and 26 are amended to have more consistent language.

Objections

Beginning on the top of page two of the Official Action, an issue is raised regarding Claim 12. Accordingly, Claim 12 is amended to address this issue.

Rejections under 35 U.S.C. § 102

Claims 1-5 and 7-9

The Official Action rejects Claims 1-5 and 7-9 as being anticipated by *Muto*.

Muto discloses an image output system for outputting images by supplying print information from a plurality of host computers to a printer. As described in column 6, lines 24-26, input information is received from a host computer 3000 via an interface 1700, and the input information is converted into output information for printing. This conversion entails first saving the input information in a reception buffer 1100 and then, as shown in Fig. 7 (first embodiment), output processing the input information before printing. According to the fourth embodiment, which is focused on in the Official Action, it is desired to assign a priority to print jobs (input/output information) depending on which host computer 3000 they originate from. As described in column 14, lines 16-27, this is done through use of a priority table 1700 that is saved in a RAM 19 or similar device. The priority of each host computer 3000 is assigned depending on how frequently input information of a host computer 3000 is output processed by the printer. That is, as stated in column 14 lines 27-33 and shown in Fig. 17a and Fig. 17b, the priority of an interface increases/decreases depending on how frequently it is used.

In contrast to *Muto*, the present application concerns a situation where it is desired to detect the user's present manual operating condition of a terminal, at a printer. Beginning on the bottom of page 16 of the present application, an embodiment of the claimed subject matter is described. According to that embodiment, when an input is received from an input means, i.e., when a user performs an operation such as manually pressing a key on the keyboard or moving

the mouse, an operation information generating unit is notified that an operation has been received. Upon receipt of such notification, the operation information generating unit generates a code "key" that indicates an operation has been performed and transmits such to the printer via a LAN. Thus, the printer device tells how often a user manually operates, i.e., generates a "key", at the terminal, and decides how likely it is that a user is in rout to collect the print job. In other words, a user who is typing at a terminal is likely not in rout to collect a print job, and that print job receives a low priority. In contrast, a user who is not typing at a terminal is likely in rout to collect a print job, and that print job is given a high priority. The previous description is not meant to limit the claims to the discussed embodiment.

Accordingly, an aspect of the presently claimed invention is generally directed toward printing and has combinations of features including transmission and reception of operation information relating to a current manual operation of a terminal. Claims 1 and 7 presently define combinations directed to this aspect. To better define over *Muto*, Claims 1 and 7 are amended to include that the operation information relates to a <u>user's current manual</u> operation of a terminal.

In contrast to the claimed subject matter, *Muto* discloses assigning priority of a print job based on the number of print jobs (input information) from a host computer that are output processed. That is, *Muto* does not disclose measurement of a user's current manual operation of a terminal. For example, *Muto* only transfers input information that is to be printed, which does not relate to a user's current manual operation of a terminal, between the host computer 3000 and the printer 1500.

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Also, it is noted that the Official Action adopts an unreasonable interpretation of *Muto* that differs from the Applicants'. The Official Action proposes that the recitation in lines 30-31 of *Muto* referring to the "frequency of use" discloses the claimed subject matter relating to the current operating state of a terminal. However, there is no support in *Muto* for that interpretation and such is unreasonable. For example, immediately above lines 30-31, *Muto* states that the priority table 700 is updated based on the "frequency of output processing", which is an operation related to printing that takes place in the printer. It is apparent that the "frequency of use" is a mere abbreviation for the above-language "frequency of output processing" because *Muto* does not disclose the ability to detect a user's current operation of the host computer 1500. As noted above, the only transfer between the host computer 1500 and the printer 3000 is the input information (print job), which is not related to a current operation state of a host computer.

For at least the reasons stated above, Claims 1 and 7 are allowable. Claims 2-5, 8 and 9 are allowable at least by virtue of their dependence from Claims 1 and 7, and because they define features that further define over the cited document.

Claims 13 and 17

The Official Action rejects Claims 13 and 17 as being anticipated by *Minamizawa*.

Minamizawa discloses a facsimile device having a print priority mode and a fax priority mode. In the print priority mode the printing of facsimile transmissions are prohibited, and in the facsimile priority mode the printing of other data is prohibited. One of the problems associated with devices of that sort is the potential

for a user to leave the device in the print priority mode, thereby preventing printing of facsimile transmissions.

Minamizawa's solution to the above-described problem involves use of a "timing out" period after which the device reverts from the print priority mode to the facsimile priority mode. That is, when the user selects the print priority mode, a period of five minutes is allowed for receipt and printing of other data. After five minutes elapses without reception of other data, the facsimile device reverts to facsimile priority mode. If other data is received before five minutes elapses, at least ten seconds is allowed to elapse before reversion to the facsimile priority mode. As note above, those operations prevent the device from being left in the print priority mode thereby preventing printing of facsimile transmissions.

Claims 13 and 17 are directed toward combinations of features including memory that stores received print jobs in correspondence with information indicating a transmission origin terminal.

Minamizawa does not disclose a memory that stores information indicating a transmission origin terminal. *Minamizawa* only discloses that the device prevents either the printing of facsimile data from another facsimile machine or other data. That is, *Minamizawa* merely recognizes if the data is facsimile data or other data, and prevents the printing of one or the other. *Minamizawa* does not disclose storing information indicating which origin terminal transmits the data as defined by Claims 13 and 17.

For at least those reasons, Claims 13 and 17 are not anticipated by *Minamizawa*.

Claim 12

The Official Action rejects Claim 12 as being anticipated by *Fresk.*

Fresk discloses a method for temporarily locking out print jobs on a network printer/copier when a copier user is present. *Fresk* discloses a network copy machine 10 (copier/printer) whose print data is produced by a host computer 16, a portable electronic device 22, or a copier user interface 28. Because use of the copier user interface 28 indicates that a copier user is present, copy jobs are given priority over the other print jobs.

Claim 12 defines a printer controller that receives print jobs transmitted from a plurality of terminals, and controls the printer to perform print processing. At least one detector detects whether an operator is in the vicinity of each terminal. A priority determining unit determines the priority levels for a plurality of print jobs waiting to be printed, and a priority level of a print job is determined based on a detection result produced by the at least one detector for a terminal that transmitted the print job. A controller controls the printer so that the plurality of print jobs are processed in an order based on the determined priority levels.

Fresk does not disclose at least a plurality of terminals, and at least one detector that detects whether an operator is in the vicinity of each terminal. In fact, in the Official Action it is only proposed that one of the alleged terminals, the copier user interface 28, involves detection of a user.

For at least the reasons stated above, *Fresk* does not anticipate Claim 12.

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Rejections under 35 U.S.C. § 103

<u>Claims 21-30</u>

The Official Action rejects Claims 21-30 as being unpatentable over *Gase* in view of *Muto*.

Gase discloses a network printer with remote print queue control procedure. A number of client processors 10, 12 are connected to a printer 14 via the internet WWW. Both the client processors 10, 12 and the printer 14 include a browser procedure 18 and a server procedure 20. Each client processor 10, 12 includes an application 22 which may have a print job ready for submission to printer 14. A print job is delivered to the printer by sending a URL from the client processor 10, 12 to the printer 14. Once the printer 14 receives the URL, the printer 14 uses the browser procedure 26 to respond to the received URL by accessing, via the WWW, the print job present in the application 22 that is designated by the URL, the application 22 being in any client processor connected to the WWW. When the print job is accessed, the client processor then responds with the text of the print job, which is delivered to and printed by the printer 14.

The printer 14 further includes a job queue 28 which lists the URLs of received print jobs. Before printing the print job, the corresponding URLs are stored in the job queue 28. The job queue 28 is managed by a queue manager 32 which maintains status data, and controls the position of each of the URLs listed on the job queue 28. A job detail page enables the originating client processor to exert control over job queue 28 and the details of the specific job URL. By clicking one of the entries on the job detail page, alterations can be made to: the identity of the job indicated, the state of the job, the number of pages to be printed, the URL of the job,

the job description, the owner of the job, and the number of copies to be printed.

The queue position of a client processor's URL listed may be changed by operating

a change button 60. However, in order to modify the queue position of a client

processor's URL, the client processor must have been previously provided with a

higher assigned priority level which enables its print jobs to enjoy a higher priority

status than other print jobs on job queue 28.

Muto's assigning of the priority of each host computer 3000 depending on

how frequently input information of a host computer 3000 is output processed by the

printer is relied upon for a disclosure of a piece of print processing information that

relates to a current operation state of one of a plurality of terminals.

The Official Action states that it would have been obvious to modify *Gase* to

include the above-noted features of *Muto*. However, doing so would destroy the

purpose of *Gase* and would not have been obvious. That is, *Gase* sets the priority of

the URL's with the high priority client processor. Then, the URL's direct the printer to

download and print data based on that priority. By altering the priority (order) of print

data based on the frequency that print data is processed from a client processor, the

previously set priority of the URL's would become moot and the purpose of *Gase*

would be destroyed. It is reminded that "[i]f [the] proposed modification would render

the prior art invention being modified unsatisfactory for its intended purpose, then

there is no suggestion or motivation to make the proposed modification." MPEP

2143.02.

For at least those reason, Claims 21-30 are allowable.

Claims 21, 26 and 29 are also allowable at least neither *Gase* nor *Muto*, alone

or together, disclose both transmission/reception of a print job, and

transmission/reception of a request signal requesting transmission of a piece of <u>print processing information</u> for the print job from a terminal, the print processing information relating to a current operating state of the terminal. *Gase* only discloses that the URL directs the printer to download a <u>print job</u> (print data) from a client processor.

Claims 14, 15, 18 and 19

Claims 14, 15, 18 and 19 are rejected as being unpatentable over *Minamizawa* in view of *Muto*. Claims 14, 15, 18 and 19 depend from allowable Claims 13 and 17. As *Muto* does not satisfy the deficiencies of the rejections of Claims 13 and 17, Claims 14, 15, 18 and 19 are allowable for at least the same reasons.

Claims 6 and 10

Claims 6 and 10 are rejected as being unpatentable over *Muto* in view of *Akabori*. *Akabori* does not satisfy the deficiencies of the rejections of Claims 1 and 7, from which Claims 6 and 10 depend. Therefore, Claims 6 and 10 are allowable for at least the same reasons.

Claims 16 and 20

Claims 16 and 20 are rejected as being unpatentable over *Minamizawa* in view of *Akabori*. Claims 16 and 20 depend from allowable independent Claims 13 and 17 and, as *Akabori* does not satisfy the deficiencies of the rejections of Claims 13 and 17, are allowable for at least the same reasons.

New Claims 31-33

New Claims 31-33 recite that the piece of print processing information relate to a user's current manual operation of a terminal.

As relied upon in the Official Action, none of the cited documents disclose a combination of features including detection or transmission of pieces of operation information relating to a <u>user's current manual operation</u> of a terminal. For at least this reason, Claims 31-33 are allowable.

Conclusion

For at least the reasons stated above, it is requested that all the rejections be withdrawn and that this application be allowed.

Should any questions arise in connection with this application, or should the examiner feel that a teleconference would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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